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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 07/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/972,791

Applicant(s)

LAWTON, SCOTT S.

Examiner

Chongshan Chen

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 34-66 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 34-66 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. Claims 34-66 are pending in this Office Action. Claims 1-33 are canceled.

#### ***Claim Objections***

2. Claims 34-66 are objected to because of the following informalities:

Claim 1 is objected to because of the following informalities: "each data element having some or no contents" in line 4. The term "or" means any one of the limitation. It is unclear to the examiner which limitation is part of the claimed invention and whether the data elements have some contents or don't have content. Appropriate correction is required. Similar correction is required for other claims having the term "or".

#### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 34-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. Claims 34, 62 and 66 recite the limitation "the target data object" in the first limitation of each claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 35-61 and 63-65 are depended on rejected independent claims.

Appropriate corrections are required for other lack of antecedent basis in the claims.

6. Claims 44 and 47 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention because "if any" renders the claim indefinite.

Appropriate corrections are required for other claims with similar terms.

***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 34-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over WEST ("Town Hall Meeting: WEST 1.1a/BRS Demo" April 14-28, 1999, hereinafter "West-1" and BRS and WEST Training for Senior Examiners, June 1999, hereinafter "West-2") in view of Votipka (US 6,405,238).

As per claim 34, WEST teaches a system that provides direct access to every data object while displaying any data object on a visual display unit via a client process, each data object resulting from searching an information location mechanism, each data object having an identifier, each data object having a plurality of data elements, each data element having some or no contents, one of said data elements being a title, the system comprising:

receive a target identifier that indicates which data object is the target data object to be displayed on the visual display unit (a user types a search string in WEST and submits the search

request. WEST returns a list of patents matching the search request, then WEST receives a target identifier that indicates which patent the user wants to view, and displays the patent on the right hand side of the window, West-1, page 8, West-2, page 55-63);

receive a list of data object identifiers, each data object identifier indicating one data object resulting from searching the information location mechanism (West-1, page 8);

receive the target data object (West-1, page 8);

output the target data object and a navigation control to the client process (West-1, page 8); and

a controller (WEST) configured to: receive the target identifier, receive the list from the list port, receive the target data object from the data port, send the data object and the navigation control to the output port, thereby saving a user time by enabling the user to access any data object that met their search criteria while viewing any target data object and without returning each time to the list of data objects resulting from their search (West-1, page 8, West-2, page 55-63. WEST provides a direct access to the data object, the user selects which patent he/she wants to view without returning each time to the list of data objects resulting from the search).

WEST teaches a direct access method. It creates a navigation control that allows the user to enter which patent he/she wants to view, and then displays the patent on the right hand side of the window (West-1, page 8). WEST does not explicitly disclose creating the navigation control with one navigation element for each data object indicated by the list, with the exception of the target data object, wherein the navigation control uses less display area than the display area occupied by the aggregate of the titles of every data object in the list. Votipka teaches a drop down link selection list (Votipka, col. 2, lines 33-52). It is obvious that the drop down link

Art Unit: 2172

selection list creates one navigation element for each data object with the exception of the target data object because when a user select any links from the drop down selection list except the already selected link, the corresponding page is loaded and displayed. If the user selects the already selected link again, nothing will happen because the corresponding page is already loaded and displayed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a drop down selection list in the system of WEST. The drop down selection list allows the user to select a link to the page directly. It is more convenient for the user because the user does not need to type in a target identifier.

WEST does not explicitly disclose an instruction port; a list port; a data port; and an output port. However, a port is an interface through which data is transferred between a computer and other devices (such as a printer, mouse, keyboard, or monitor), a network, or a direct connection to another computer (Microsoft Computer Dictionary). Furthermore, the applicant discloses a computer includes all the ports (specification, page 12, lines 3-6), and the WEST search system is embodied on a computer. It is obvious the WEST includes all the ports so that the search system can search the database and pass data between them and return the search result back to the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an instruction port, a list port, a data port and an output port in the system of WEST so that the search system can search the database and pass data between them and return the search result back to the user.

As per claim 35, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach at least one of the instruction port, list port, data port, and output port is coupled to an HTTP Web server, or coupled to a computer-readable media, or configured to

communicate via a standard electronic messaging protocol (WEST is tangibly embodied in computer readable medium).

As per claim 36, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the data port is coupled to at least one of a document, a database, a database management system, a search engine supporting full-text search, a search engine supporting fielded search, a search engine supporting regular expressions or other patterns, and an iterative search engine (West-1, page 3).

As per claim 37, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each data object is comprised of a database record, a document, or some other grouping of associated data elements (West-1, page 3, Database: US Patents Full-Text Database).

As per claim 38, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each data element is comprised of a database field, tagged data including HTML, XML, or SGML, meta data, or a document (West-1, page 3-8).

As per claim 39, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing the data object having at least one data unit of employment information. However, it is obvious the database can store employment information. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have employment information in the database so that the search engine can search employment information.

As per claim 40, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the controller is configured to create a navigation element for the target data object (Votipka, Fig. 2-4).

As per claim 41, WEST and Votipka teach all the claimed subject matters as discussed in claim 40, except for explicitly disclosing the navigation element for the target data object has a different appearance than the navigation elements for other data objects. However, it is well known in the art that the navigation element for the target data object in a drop down selection list is highlighted while others are not highlighted.

As per claim 42, WEST and Votipka teach all the claimed subject matters as discussed in claim 41, except for explicitly disclosing the appearance is made visually distinct by changing at least one of the geometry, layout, text font or typeface, text size, text style, text color and background color of part or all of the navigation element for the target data object. However, it is well known in the art that the navigation element for the target data object in a drop down selection list is highlighted while others are not highlighted.

As per claim 43, WEST and Votipka teach all the claimed subject matters as discussed in claim 40, and further teach the navigation element for the target data object is not a hypertext link (West-1, page 8).

As per claim 44, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the controller is configured to add an additional navigation element linked to the data object prior to the target data object, if any (West-1, page 8, West-2, page 55-63).

As per claim 45, WEST and Votipka teach all the claimed subject matters as discussed in claim 44, and further teach the additional navigation element is a left-facing or up-facing arrow, rendered textually or graphically (West-1, page 8, West-2, page 55-63).

As per claim 46, WEST and Votipka teach all the claimed subject matters as discussed in claim 44, except for explicitly disclosing the additional navigation element for the target data object comprises a text label "PREVIOUS" or similar abbreviation, word or phrase in English or other language. However, West teaches navigation element is left-facing arrow which causes the previous object from the list to be displayed (West-1, page 8, West-2, page 55-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the text label "PREVIOUS" instead of the left-facing arrow in the display of WEST in order to tell the user what is the usage of the button.

Claims 47-49 are rejected on grounds corresponding to the reasons given above for claims 44-46.

As per claim 50, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing each navigation element is configured such that the client process will display additional information about the associated data object when a user moves a UD over the navigation element. However, it is well known in the art that when a user moves a mouse over a icon, additional information such as what is the usage of the icon or what information the icon is associated with will be displayed.

As per claim 51, WEST and Votipka teach all the claimed subject matters as discussed in claim 50, except for explicitly disclosing the additional information is the title of the target data object. However, it is well known in the art that when a user moves a mouse over a icon,

Art Unit: 2172

additional information such as what is the usage of the icon or what information the icon is associated with will be displayed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to display the title of the target data object so that the user can know what data object the navigation element is associated with and then decide whether to display the data object.

As per claim 52, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach each navigation element can be activated by a user with a single action using a UD (Votipka, selecting from a drop down selection list).

Claims 53-54 are rejected on grounds corresponding to the reasons given above for claim 52.

As per claim 55, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing the navigation elements are arranged horizontally. However, arranging the navigation elements horizontally is well known in the art (for example, google search engine).

As per claim 56, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the navigation elements are arranged vertically (Votipka, drop down selection list).

As per claim 57, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the target identifier is a data element identifier (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 58, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach the target identifier is an index into the list (West-1, page 8, West-2,

page 55-63, Votipka, Fig. 2-4. Applicant admits the search and index mechanism is well known in the art, specification, page 15, 2<sup>nd</sup> paragraph).

As per claim 59, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, and further teach a list identifier port configured to receive a list identifier, and wherein the list port is coupled to storage, and wherein the controller is configured to get the identified list from storage via the list port (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 60, WEST and Votipka teach all the claimed subject matters as discussed in claim 59, and further teach the list identifier port and the instruction port are the same port, and wherein the controller is configured to extract the target identifier and the list identifier from the instruction port (West-1, page 8, West-2, page 55-63, Votipka, Fig. 2-4).

As per claim 61, WEST and Votipka teach all the claimed subject matters as discussed in claim 34, except for explicitly disclosing a data cache configured to store a copy of zero or more data objects; a cache manager configured to: check if the target data object is already stored in the data cache; if not, get a copy of the data object via the data port and store it in the data cache; return a copy of the data object from the data cache to the controller; and wherein the controller is configured to receive the data objects from the cache manager or from the data port or from both the cache manager and the data port. However, WEST search system is embodied in a computer which includes a data cache. It is well known in the art that cache manager check if the target data object is already stored in the data cache; if not, get a copy of the data object via the data port and store it in the data cache; return a copy of the data object from the data cache to the controller.

As per claim 62, WEST teaches a search system comprising:

receive search criteria (West-1, page 3);

an information location mechanism configured to locate a plurality of data objects that match the received search criteria, each data object having an identifier, each data object having a plurality of data elements, each data element having some or no contents, one of said data elements being a title (West-1, page 3-8);

a formatting engine configured to format a result list comprising a subset of information from each matching data object (West-1, page 3-8);

a client process configured to display on a visual display unit (West-1, page 3-8);

an access mechanism that provides direct access to every data object while displaying any data object on the visual display unit via the client process, the access mechanism (West-1, page 8, West-2, page 55-63) comprising:

receive a target identifier that indicates which data object is the target data object to be displayed on the visual display unit (West-1, page 8, West-2, page 55-63);

receive a list of data object identifiers, each identifier indicating one data object resulting from searching the information location mechanism (West-1, page 8, West-2, page 55-63);

receive the target data object (West-1, page 8, West-2, page 55-63);

output the target data object and a navigation control to the client process (West-1, page 8, West-2, page 55-63); and

a controller configured to:

transfer search criteria from the search port to the information location mechanism (West-1, page 3-8, West-2, page 55-63);

transfer the data object identifier for each data object returned by the information location mechanism from the information location mechanism to the list port (West-1, page 3-8, West-2, page 55-63);

receive the target identifier from the instruction port (West-1, page 3-8, West-2, page 55-63);

receive the target data object from the data port (West-1, page 3-8, West-2, page 55-63);  
send the data object and the navigation control to the output port (West-1, page 3-8, West-2, page 55-63).

WEST teaches a direct access method. It creates a navigation control that allows the user to enter which patent he/she wants to view, and then displays the patent on the right hand side of the window (West-1, page 8). WEST does not explicitly disclose creating the navigation control with one navigation element for each data object indicated by the list, with the exception of the target data object, wherein the navigation control uses less display area than the display area occupied by the aggregate of the titles of every data object in the list. Votipka teaches a drop down link selection list (Votipka, col. 2, lines 33-52). It is obvious that the drop down link selection list creates one navigation element for each data object with the exception of the target data object because when a user select any links from the drop down selection list except the already selected link, the corresponding page is loaded and displayed. If the user selects the already selected link again, nothing will happen because the corresponding page is already loaded and displayed. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use a drop down selection list in the system of WEST. The

Art Unit: 2172

drop down selection list allows the user to select a link to the page directly. It is more convenient for the user because the user does not need to type in a target identifier.

WEST does not explicitly disclose an instruction port; a list port; a data port; and an output port. However, a port is an interface through which data is transferred between a computer and other devices (such as a printer, mouse, keyboard, or monitor), a network, or a direct connection to another computer (Microsoft Computer Dictionary). Furthermore, the applicant discloses a computer includes all the ports (specification, page 12, lines 3-6), and the WEST search system is embodied on a computer. It is obvious the WEST includes all the ports so that the search system can search the database and pass data between them and return the search result back to the user. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include an instruction port, a list port, a data port and an output port in the system of WEST so that the search system can search the database and pass data between them and return the search result back to the user.

As per claim 63, WEST and Votipka teach all the claimed subject matters as discussed in claim 62, and further teach the controller creates a formatted representation of the navigation control employing a markup language including HTML, XML or SGML (West-1, page 3-8).

Claim 64 is rejected on grounds corresponding to the reasons given above for claim 39.

As per claim 65, WEST and Votipka teach all the claimed subject matters as discussed in claim 62, except for explicitly disclosing a sort port configured to receive sort criteria; an information sorting mechanism coupled between the information location mechanism and the formatting engine; the information sorting mechanism being configured to receive the sort criteria in a predetermined syntax, receive a plurality of data objects from the information

Art Unit: 2172

location mechanism, sort the data objects according to the sort criteria, and forward the sorted data objects to the visual display unit. However, it is well known in the art that a search system can sort the results into an ascending/descending list according to title, author, publish date, etc.

Claim 66 is rejected on grounds corresponding to the reasons given above for claim 34.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-33 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

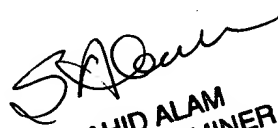
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703)305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.C.  
July 22, 2004

  
SHAHID ALAM  
PRIMARY EXAMINER